

Definitely Mabey

Recapture Your Attitude of Gratitude

Summer is upon us and like everyone it is hard to sit inside and concentrate long enough to come up with a full column on one of the many topics that arises from being in and around a law firm. So with your indulgence, I am going to touch on a variety of topics all which easily lend themselves to a full diatribe and which you are likely to see expanded upon in future columns.



Stephen Mabey, CA
Principal & Managing Director

Attitude of Gratitude

I attended a retreat recently and the closing speaker was a motivational one who may have not been everyone's cup of tea. However, he left those members of the audience who had their active listening ears on with a couple of points worth further consideration by all, but perhaps particularly by those in the front lines, back office, and back rooms of law firms.

The concept is simple — we need to recapture an attitude of gratitude. We don't spend enough of our awake time being grateful for all we have! We all fall into the trap of focusing on what we don't have rather than what we do.

The side benefits of an attitude-of-gratitude approach include:

- shifting focus from negative to positive;
- that anger can't co-exist with gratitude; and
- it's difficult to feel jealousy and gratitude at the same time.

Profits per Partner

It is with great interest and, I confess, skepticism that I watch various consulting firms and periodicals disassociate themselves from profits per partner as the ultimate metric, the holy grail of law firm management. These were the same parties clamouring to publish it, report it, dissect it, and explain it to all who would listen — and lots did, so the profession is not without its share of blame.

Don't get me wrong — what gets measured gets done!

At the same time, all that can be counted may not count!

Further, there are no best-in-class metrics for law firm management. Rather your guide should be that as long as the metric measures progress towards the goals set by your firm then they are the best indicators for you. But most importantly, no metric is a valid substitute for common

sense and judgment, they are simply measurable inputs to the management and leadership of the firm.

And what penetrating glimpse into the obvious made them see the fallacy of this particular calculation? It seems they finally figured out that firms, and not just a few, were making short-term decisions at the expense of their futures, and more importantly the future of their partners, associates, and staff. I would speculate that had the legal industry not found itself experiencing the economic ills it has of late, the obsession would have continued.

And who knows how many partners would have found themselves on the street, how many partners de-equitized, associates facing huge school debts and no prospects of employment, services of dedicated staff abruptly ended if not for the current recession. So it's true there is a silver lining in every cloud!

Hope springs eternal that partners and management will understand and accept the difference between short-term lifestyle and long-term happiness that comes from the ability to subordinate what they want now for what they want eventually.

The Issue of Recruiting

Clients have a far broader array of choices than ever before, and they are exercising these choices more readily than ever before. This reality will only serve to increase the level of competition among firms for creative and innovative lawyers.

Two critical qualities can be found in lawyers who shine as individuals — apart from their relationship with your firm.

- They demonstrate inventiveness — the ability to take a current service provided and determine ways to make it better, faster, and cheaper.
- They are empathetic and insightful — they see what service clients want next, preferably before clients know what it is they will want in the future.
- The competition for individuals who show one or both of these particular qualities will be as fierce as the competition for clients.

Increased lawyer mobility will drive law firm management to refocus on the fact that the most effective strategy may be to laterally hire individual or small groups of lawyers. The continued deterrent to full mergers will be the fallout associated with the culture assimilation and acquisition of non-producing lawyers.

Iconic partners and leaders will have to take a more significant role in the recruiting and retention of the best possible talent.

In fact, talent acquisition and retention may become the most important task of the managing partner. Many successful leaders will take on the appearance of constantly being on the “hustle” (requiring many to overcome the pejorative perception of this style or approach) to put and keep together the best people with the best available resources.

Innovate or Abdicate

Law firms are incubators for stress, which, if left untreated, tend to act as sandpaper on the human spirit. Over time, many administrative managers journey down the following path:

- clearly at the outset they are “early innovators”;
- then over time they evolve into the “early adapters”;
- later they become the “timely reactors”; and
- lastly they become part of the “firm’s culture” (where change is a four-letter word).

Obviously in the parallel world of innovation, many firms experience a movement from “breakout innovation,” a development effort that goes beyond new and improved into the realm of very different or self reinventing, to “performance innovation.”

The latter involves efforts to improve already established services or processes by adding new features, improving quality, reducing delivery times, or enhancing support services. The last stop on this innovation spiral is status quo of which no explanation is required.

Many solutions and strategies to this downward spiral have been tried in the past and certainly new ones are being developed on a regular basis.

Hoping that your firm will reacquaint itself with innovation will not work. Remember, as it has been so aptly pointed out — hope is not a strategy.

There does come a time however, especially when you have become a part of the status quo, when the best way to lead your firm to innovation is to leave. This time will be different for everyone but one clear precipitating event should be when the passion or pull to go to work is replaced by drive or a sense of being compelled or obligated to go to work.

Life is much too short to not enjoy what you are doing. While easy to say, tougher to do, you only need look to your colleagues who have done it, voluntarily or involuntarily, to see the positive impact such a change has had on their spirits.

Short Snappers for Law Firm Management

- Success, while founded on the brilliance of bold action, has been more the result of intuitiveness and good luck rather than formal planning, and management should start to act intuitively.
- The grasp of the English language continues to erode as the definition of “teamwork” doesn’t include the luxury of opting in and out at the individual’s discretion.
- Management teams should be girding themselves to do battle with the competition and not each other.
- The culture often spoken of is, in fact, that combination of shared values and not a convenient excuse for not making needed changes.
- Young advocates of change need to understand the simple truth that the power to shape the company’s future is earned through persistence.
- An overemphasis on celebrating an individual success will lead people to believe that excellence is an event and not a habit.
- Many of the problems faced in the past have been solved when management members didn’t play by the rules.

So I hope you have a great summer and remember:

"Those that leave nothing to chance will do few things ill, but they will do very few things."

Comments or Questions?

*First Published in Canadian Lawyer
August 2010*



[Print PDF Version](#)